REMARKS

The objection to cancelled claim 1 applies to claim 8 and is traversed by non-narrowing editing of the last two clauses of the claim. The corresponding last two clauses of other independent claims are not edited, not to show claim differentiation, but in this case to show the non-narrowing of the editing of claim 8.

According to other amendments, the following paragraphs are revised in claims 8, 9, 10, 19, 20 and 21:

a first identification code attaching device, which prints said first identification code to a package of a first product that is shipped by a first company, said first identification code being printed onto a location that will not be visible unless the package of the first product is opened.

a second identification code attaching device, which prints said second identification code to a package of a second product that is shipped by a second company different from said first company, said second identification code being printed onto a location that will not be visible unless the package of the second product is opened.

These amendments are supported by the initially filed specification, e.g., lines 27-32, page 10:

a product x (a confection in the example here) shipped by a first company X (this shall be deemed to be a confection maker for the sake of description here) and a product y (a toy in the example here) shipped by a second company Y (this shall be deemed to be a toy maker for the sake of description here)

See also, lines 22-24, page 12:

Thus for practical purposes, measures, such as printing the identification code onto a location that will not be visible unless the package is opened

And also lines 24-26, page 17:

A merit of this invention is that effective sales promotion can be realized through the mutual linkage of a plurality of different companies.

The Woll patent of the rejection under 35 USC 102 teaches a trading card on which a unique ID number is printed. For this, Woll also discloses that when a user inputs the unique ID number into a computer program, it provides extra value to the user. However, Woll does not disclose"a first identification code attaching device, which prints the first identification code to a package of a first product that is shipped by a first company, said first identification code being- printed onto a location that will not be visible unless the package of the first product is opened" and "a second identification code attaching device, which prints the second identification code to a package of a second product that is shipped by a second company different from said first company, said second identification code being printed onto a location that will not be visible unless the package of the second product is opened".

The Woll patent also discloses a game system including a computer program and trading cards. There is a description that "The trading card for use with the present computer game may be sold separately or sold packaged with another product, such as a toy animal" (column 1, lines 26-28). Therefore, the trading card of Woll can be sold by itself as an independent product or can be sold with another product. In any cases, the trading card, on which an ID number is printed, is a "product" itself, but in the claimed invention, an ID code is printed on a package at a location where it will not be visible unless the package is opened. The trading card of the patent cannot be opened and the package of the claims is not the "product" (trading card) of the patent.

The Woll patent teaches printing an ID code on a trading card, but does not disclose printing an ID code on a package of a product in a manner that it will not be visible until the package is opened.

The Woll patent also discloses that a plurality of ID numbers are printed on the different trading cards and respective ID numbers have different powers. However, the Woll patent does not disclose that a first ID code is printed on the package of the first product shipped by a first company, a second ID code is printed on the package of the second product shipped by a second company and these companies are different companies.

The different, claimed invention makes it possible for plural, first and second companies to plan a sales campaign cooperatively. As described for in the embodiment of the quoted above and now claimed specifically in new claims 37-42, if a confection maker and a toy maker cooperate to plan a joint sales campaign using the system of the present invention, a remarkable effect will be expected. In this campaign, a first ID code is attached to a package of a candy and a second ID code is attached to a package of a toy and an only consumer who bought both of the candy and the toy can obtain a special service which consumers who bought only the candy or only the toy could not obtain. In general, a candy and a toy are sold in different stores or different shops. Therefore, the above-mentioned joint campaign is very effective, because a consumer who came to a candy shop and bought a candy is expected to visit a toy shop to buy a toy and vice versa.

The system of the Woll patent has nothing to do with above-mentioned commercial effect. In Woll's system, if a game provided by a computer is interesting, a trading card may be sold and another product which accompanies a trading card may also be sold. However, two companies such as a confection maker and a toy maker cannot plan a joint sales campaign. As mentioned in lines 24-26, page 17 of the specification, a merit of this invention

is that effective sales promotion can be realized through the mutual linkage of a plurality of different companies. Woll does not disclose a system which enables such a sales promotion.

Meiji Seika Kaisha Ltd, one of the applicants of the present invention, is a Japanese confection maker. Tomy company is a Japanese toy maker. These two companies carried out joint sales campaign which corresponds to an embodiment of the present invention. This campaign was very unique one and attracted a great deal of attention in the business world as shown in Document 1 attached with a EXPLANATION OF DOCUMENTS FOR 10/021904 that includes an English translation of Document 1 and a description of other attached Documents 2-8.

During the campaign, Meiji Seika sold a box of chocolates shown in Document 2 and Tomy sold a doll house in the shape of trunk shown in Document 3. A consumer who bought both of the chocolate and the doll house could obtain the first and the second ID codes and get a special service on the Web by inputting these two codes. Documents 4-7 show Web screens on which the ID codes were input and a game was provided.

Document 8 shows a comparison result between the sales in the first term during which the campaign was carried out and the sales in the second term during which the campaign was not carried out. The blue graph line (top line) shows a decreasing curve of a weekly amount of sales for the chocolate in a particular supermarket in the first term and the red graph line (bottom line) shows a decreasing curve of a weekly amount of sales for the chocolate in the same supermarket in the second term. In both the graphs, the initial sales amount of the first week (1W) is represented by 100% as a standard and the succeeding sales amount of the second week (2W), the third week (3W), ... are represented by a ratio to the initial sales amount. In general, the weekly amount of sales for a new product is getting gradually decreased because a brand-new effect of the new product is decreasing as time goes

by. However, as shown in the graphs, a decreasing speed of the blue graph is smaller than that of the red graph. This shows that the joint sales campaign according to the present invention has a remarkable effect to prevent decreasing of sales as time goes by.

Reconsideration and allowance are, therefore, requested.

Respectfully submitted,

William R. Evans c/o Ladas & Parry LLP 26 West 61st Street

New York, New York 10023

Reg. No. 25858

Tel. No. (212) 708-1930



EXPLANATION OF DOCUMENTS FOR 10/021904

Document 1

Article of News Paper (Nikkei News Paper dated Aug. 12, 2001)

English Translation of Article:

MEIJI SEIKA AND DAI NIPPON PRINTING DEVELOP "ELECTRIC FREEBIE"

GAME IS PROVIDED TO CONSUMERS THROUGH NETWORK

Meiji Seika, Tomy and Dai Nippon Printing have cooperated to develop "Electric Freebie" which can be obtained through Internet. consumer inputs ID codes, which are printed on packages of products of Meiji and Tomy, on a form sheet of a Web page, he/she can enjoy a game. This is the first business trial for providing Freebie through the net. This business trial attracts a great deal of attention whether young consumers, who usually enjoy TV games, are to be interested in or not. First, Meiji is going to sell a box of chocolates with a teddy bear doll inside it to provide "Electric Freebie" in Chubu area on August 21. Inside the package of the chocolate, a twelve-digit ID code is supposed to be printed. Tomy is going to sell three products such as a doll house in the shape of trunk to accommodate teddy bear dolls on the end of August. Inside the package of the products, a nine-digit ID code is supposed to be enclosed. When a consumer inputs the printed ID code on a certain Web page, he/she can play a slot machine game. A consumer who has ID codes of both the companies can challenge the game more times. Dai Nippon Printing has developed a new printing technology in which a plurality of different ID codes can be printed on packages of respective products with high speed and developed a new system in which only a consumer who obtained an ID code can get "Electric Freebie". The three companies have filed a business method patent application for "Electric Freebie" providing system. In future, they are planning to build a virtual Theme Park on the net and provide "Electric Freebie" so that only a consumer having an ID code can enter the Theme Park.

Document 2

Leaflet showing a box of chocolates with a teddy bear doll inside. As mentioned in the Article of Document 1, Meiji Seika company supplied this product.

Document 3

Leaflet showing a doll house in the shape of trunk to accommodate teddy bear dolls. As mentioned in the Article of Document 1, Tomy company supplied this product.

Documents 4-6

Screen shots of a cellar phone display showing steps for inputting ID codes and playing a game which is provided as an "Electric Freebie".

Document 7

Screen shots of a personal computer display showing steps for inputting ID codes and playing a game which is provided as an "Electric Freebie".

Document 8

Graph showing a commercial success of a tied up campaign of Meiji Seika and Tomy mentioned in the Article of Document 1. The horizontal axis of the graph shows time (a scale marked in weeks: unit W stands for a week) and the vertical axis of the graph shows a ratio of weekly amount of sales of the product (the chocolate illustrated in Document 2) at a respective week to the initial weekly amount of sales (weekly amount at the first week (1W)). The data of blue graph were obtained in a first term (May 21 through July 23, 2002) when a tied up campaign of "Electric Freebie" mentioned in the Article of Document 1 was carried out and the data of red graph were obtained in a second term (August 26 through October 28, 2002) when no campaign of "Electric Freebie" was carried out. All the data were taken in the same major supermarket store. That is, they started to put the chocolate shown in Document 2 for sale in the store on May 21, 2002 and kept sale during the

first term. In this first term, the tied up campaign of Meiji Seika and Tomy mentioned in the Article of Document 1 was carried out. The weekly amount of sales was getting gradually decreased as shown by the blue graph. This is because a brand-new effect for consumers of the chocolate was decreasing as time goes by. Then they stopped the sale of the chocolate for a while. They started again to put the chocolate for sale in the same store on August 26 and kept sale during the second term. In this second term, the tied up campaign was not carried out. The weekly amount of sales was getting gradually decreased as shown by the red graph because another brand-new effect was decreasing as time goes by.

争いがさらに激しくなる。

た。業界標準の座を巡り、東芝 サムスン電子への供給を決め

松下連合とソニーとのシェア

別規格の ソニー

大きさ (幅×長さ× 厚さ:ミリ)

容量 (メガバイト)

規模を40万枚に増やした

初めて。ネットなどのゲーム

東芝はSDメモリーカードの月産

後の負債圧縮効果を見込ん | 画に含まれておらず、追力 |

し、マイカル保有分の時価

独占使用権などを営業権と

して時価に上乘せし、当初

コーヒー「ボス」の原料と 新会社は、サントリーの缶

して共合する。ナントノー

まりヨニ教子ニニュニュー十回覧フニョ教写魚で發度一

リンを言うりの主使りない

せ、マイカルは四百億円前 | カル北海道株の売却は同二、 時点に比べ大幅に値下がり

東芝·松

MAIL ABLE CO.

メ10 ド月 で月10万枚強に

21.5×50×2.8 4/8/16/32/

64/128 ソニー、富士通、 シャープ、NEC、 パイオニア、サム スン電子 クの供給を開始。メモリー

カーをさらに増やしてい スティックを採用するメー ソニーの生産枚数は現

松下電器産業、東 芝、米サンディス ク、日本ピクター シャープ・米バー 在 00一年で前年比五割増

模をそれぞれ二倍以上に増や

上にする。別規格のメモリーカ

)、 両社合わせて 月産百万枚以

- ドを手掛けるソニーは韓国の

韓国

SDカード

24×32×2.1

8/16/32/

プ、米パ

64/128

リーカードを手掛ける東芝と松

メモリー スティック

築を強化する。 同一規格のメモ

電機大手がメモリーカード 事

下電器産業は十月までに生産規

が、メモリースティックの 備を増強する予定はない

話機にも搭載できる小さ ラッシュや、スマートメ さや著作権保護機能が特 る。現在はコンパクトフ 百万枚に達するとみられ 二00二年には約七十二 ドとメモリーステ が主流。SDカー ィックは、携帯電 ディアなどの規格 DA) などメモリーカード カメラや携帯情報端末(P 登場、需要が急増するとみ を搭載した新製品が相次ぎ 電子部品の需要が低迷する ているためだ。 情報技術 (IT)関連の

画などを記録、こ

文字や音声、静止

内部にフラッシュメモ

モリー

カ

Ī

の約五千万枚の見込み。

徴で、次世代型とされる。 の障害」との声が業界関係 れていることが普及の最大 待されるが、「規格が分か 数少ない成長商品として期 なかで、メモリーカードは

ーカードの世界市場は「 やりとりできる。メモリ ル機器間で情報を れを使ってデジタ

月八十万枚。 当面は設 | 採用メーカーがさらに増え | 業を強化するのはパソコン れば、増産も視野に入れる。 各社がメモリーカード事 | 者から出ている。

|要が広がっており、環境配 公庁に加え民間企業などで 三菱製紙も五割増、王子製 万少の販売を見込むほか、 も「古紙一〇〇%」紙の需 紙は一割引き上げる。リサ イクル意識の高まりで、官

拡販

ア環境 配慮 質の向上へ \ 設備投資

|情報用紙で古紙配合率一〇|最大手の日本ユニパックホ|に前年比五割増の約三十| 慮製品の販売に力を入れ 製紙大手は主力の印刷・ | 〇%品の販売を拡大する。 | ールディングが二〇〇一年

主な賛同 メーカー 製紙大手

を月十五万枚から同四十万 松下電器も山形工場(山 ニーは今年後半からサムス ン電子にメモリースティッ

商品購入者にネットでゲーム提供 7

から子会社の東芝三沢メデ

|形市) のSDカードの生産

能力を、現在の月産三十万

ィア機器(青森県三沢市)

にこのほど移管。 生産規模 | 枚から十月までに七十万枚

明治製菓、トミー、大日本

インタ

関心を集めることができるか に親しんでいる若者や子供の

トミーが八月下旬から順次

注目される。

#

産を、柳町工場

(川崎市)

発した「SDカード」の生

|枚に増やした。

東芝は松下などと共同開

で、SDカード 増産すること 両社がそろって るソニーのメモ に引き上げる。 リースティック は対抗商品であ 印刷の三社は共同で、 ある識別IDを所定のホーム 治とトミーの商品に印字して おまけ」を共同開発した。明 ージの入力フォームに入力 -ネット上で手に入る「電子

TOSHIBA.

128 MB

く の生産能力を抜

これに対しソ ができるという。ネットを使 すると、ゲームを楽しむこと っておまけを提供する試みは

ð

まけの提供を始める。

ョコに、パッケージ内側に十 ィベアの人形付きマーブルチ 中部地区で先行発売するデデ ニケタのIDを印字、

明治製菓、 まず明治が今月二十一日に 大口

本印刷など開発 三品にも、九ケタのIDを印 費者は両社のホームページの きる。両社のIDを共に持っ すると、スロットゲームがで 収納するトランクケースなど ている消費者はゲームにチャ 所定のコーナーにIDを入力 レンジできる回数が増える。 刷したカードを内包する。消 のみが入場できるという電子 る おまけの提供を計画してい 供システムについてビジネス を入手できない仕組みを開発 の保有者以外が不正におまけ 高速で印字する技術と、ID ークを構築し、IDの保有者 モデル特許を出願した。 将来はネット上にテーマパ た。三社は電子おまけの提

-豆焙煎会社

でコーヒー豆焙煎(ばいせ に、ユニカフェと共同出資 ん)の専門会社を設立する。 サントリーは九月をメド フェと来月

なる識別IDをパッケージに 大日本印刷は商品ごとに異

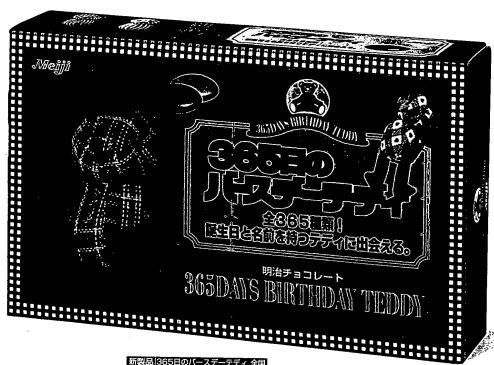
や携帯電話に加え、メモリ ーカードを使ったデジタル | 設を検討中。 大王製紙グル 極的で、今年は約二十一万 生上質紙を投入するなど積 |用紙で二五%増を見込む。 |増、コピー用紙などの情報 |われる印刷用紙で六六% 一、パンフレットなどに使 る |パルプ(DIP)設備の増 からインクを抜き取る脱鼠 業からの引き合いが好調 配慮」のアピールを狙う企 いの販売を計画。「『環境 DIP設備を新設した。 ープは約二十億円を投じて 境戦略の一環」とし、古紙 拡大を「植林事業と並ぶ環 王子製紙も白さを増した再 (王子製紙)という。 ユニパックはカレンダ 三菱製紙は再生紙の販売 **業界では紙・板紙全体の**

DOCUMENT-2

365日の バースデーテディ

CHOCOLATE

365種類のオリジナルデザインのテディ入り小粒チョコ。 かわいらしさと、コレクションする楽しさで、 購入意欲を刺激します。



新製品 365日のパースデーテディ 全国



ねらい

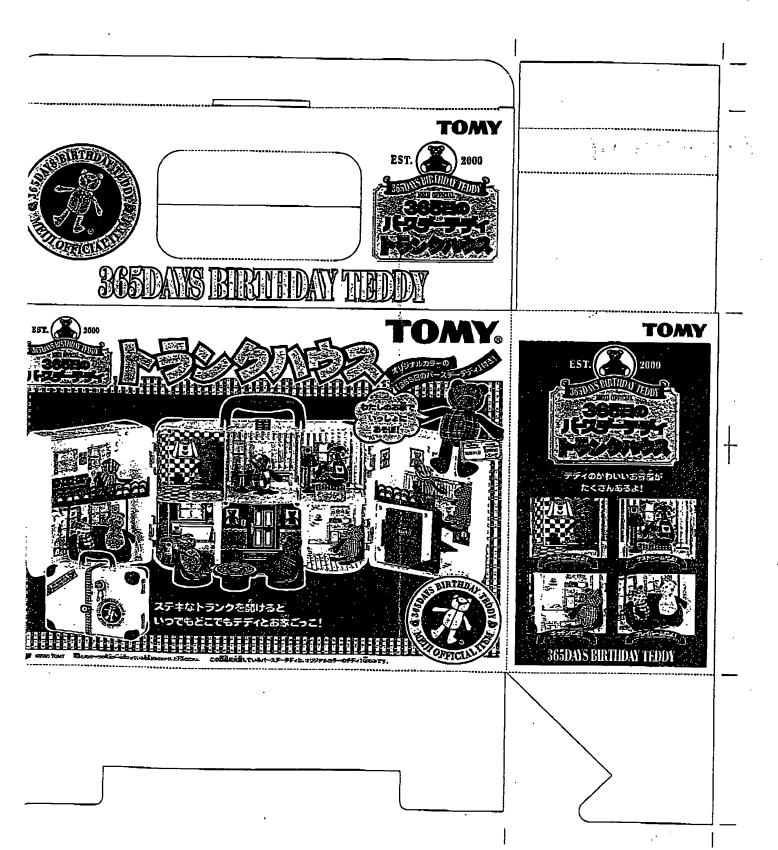
世界的に人気のキャラクター「テディベア」が、デザイン・誕生日・名前違いで365種類。かわいらしさと、豊富な デザインバリエーション、数々の楽しいしかけで話題を盛り上げ、幼児からOL、主婦まで幅広い層に支持される 新・定番商品を目指します。

商品特徵

オリジナルデザインが365種類1月1日生まれから12月31日生まれまで、かわいいテディは365種類。 すべてデザインが違います。

Deat Mai Ari P Cody

DOCUMENT-3



dest evallarie coov

0 C U M E N T - 4

BEST AVAILABLE COPY

teddyIDキャンペーンI-mode画面遷移について-1

①ページTOP



ID解說画面

②ID入力画面 明治製菓用

> LED SAN FOR THE PROPERTY WAS TO ゲーム参加に必要なIDはIOMHY、明治 発真をれぞれの商品は入の際についてきます。確認場所はそれぞれの原品によって確認場所はもれぞれの原品によって確認場所が違います。 10247

ゲーム解説画面へ

下のボックス内にパッケージ裏面に記憶 きれたIDナンパーを入力して下きい。

あなたがGETした明治製菓商品ID

明治製菓商品購入の方の旧入力ページ

> IDカード:蘇品バッケージ内に回復されているピック型IDカードに印字されています。 ●TOMMY開品をお買いおげの方

λħok I 1種64

ID解說画面(全文)

10 z # ?

アのボックス内に旧カードに記載された ロナンバーキ入力して下をい。 C->E(diotolynamia) SAR SEET CR TOTTYMBIO 田一当 2 B 6 4

ゲーム参加に必要なIDはIOMMY、明治製菓もれぞれの商品観入の際についてきます。確認場所はそれぞれの商品によって確認場所が達しませんの商品によって確認場所が違います。

ずのボックス内にIDカードに記載された IDナンバーを入力して下をい。 III字下来: 美国 TOOでは、明治学生の品質人の古のID人 カページ

(2) PM (0) (1) 5なたがGETした明治収末開品ID あなたがGETしたTOTHYRABIO 7264

10カード:商品パッケージ内に回摘されているピック型10カードに印字されています。

●TOMMY商品をお買いあげの方

明治製菓 & トミー

バッケージ内:耐品バッケージの上巻 (チョコレート封入側)の裏面に記載され 明治製菓商品をお買いあげの方

※ただしS回のゲーム参加権は1アクセス中に全部使い切って下さい。一度オフラインにしますと逢中でも参加権は全て無くなり

ますのでご注思下さい。

|つの||ひて5回ゲームを行うことができます

|つのIDで1回ゲームを行うことができます

※TOIHTVを明治製薬所製品を購入された方は2回までのゲーム物が構だけでなく当路確定があくなるかも!?

小が光間へ

teddyID キャンペーンI-mode 画面 遷移にしいて-2

③ゲーム解説画面

④ゲーム画面1



INCPLY PROPERTY

11, 41-1, 20 < 61,-7

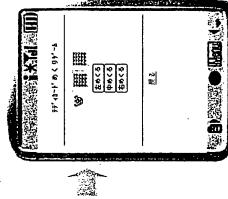
ev.

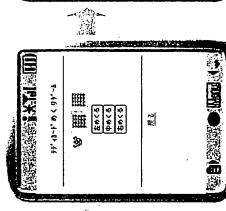
7-AHE!

55' 10-1' B < 91'-6







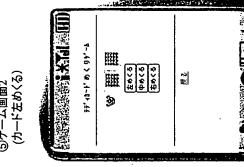


なった。 中かくも もかくる

120

⑤ゲーム画面3 (カード中めくる)





全カードめくる

スロットの絵柄は全部で7種類。 テディ1またはテディ2が3つ揃うと

















チェリー



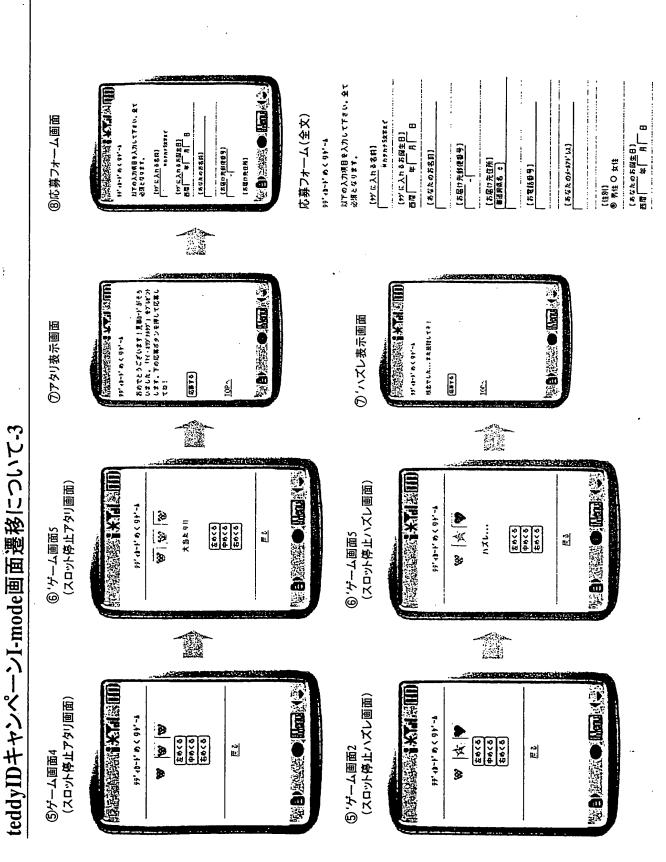






rest available cook

DOCUMENT - 6



BEST AVAILABLE COO!

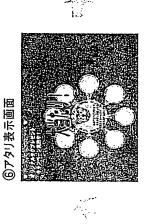
つ輩64

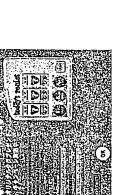
DOCUMENT - 7

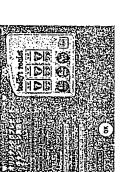
BEST AVAILABLE COPV

③ハズレ表示画面

ŽX.







⑤スロット停止後

④ゲームスロット回転画面

⑤スロット停止画面

③ゲームスタート画面

ボーニー

・TOUTE SHIETSMAN STOALS - TOUT SHIETSMAN STOALS - サンジャル・ファンジャル・ファンジャー

※明治用

ポタンにより それぞれのID入力用画面へ

※思治&トミニー用

teddyIDキャンペーンWEB版画面遷移について

QID入力画面

①ゲーム解説